



**Committee of the Parties
to the Council of Europe Convention
on Action against Trafficking in Human Beings**

**Recommendation CP/Rec(2025)04
on the implementation of the Council of Europe Convention
on Action against Trafficking in Human Beings
by Austria**

***adopted at the 36th meeting of the Committee of the Parties
on 20 June 2025***

The Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings (hereinafter referred to as "the Convention"), acting under the terms of Article 38(7) of the Convention;

Having regard to the purposes of the Convention to prevent and combat trafficking in human beings, while guaranteeing gender equality, protect the human rights of victims of trafficking, design a comprehensive framework for the protection and assistance of victims and witnesses, ensure the effective investigation and prosecution of the offences related to trafficking in human beings, and promote international co-operation;

Bearing in mind the provisions of Article 36(1) of the Convention concerning the monitoring role of the Group of Experts on Action against Trafficking in Human Beings (GRETA) in the implementation of the Convention;

Having regard to the Rules of Procedure of the Committee of the Parties;

Having regard to the instrument of ratification deposited by Austria on 12 October 2006;

Having examined the fourth report concerning the implementation of the Convention by Austria, adopted by GRETA at its 52nd meeting (18-22 November 2024), as well as the comments of the Austrian Government received on 31 January 2025;

Bearing in mind the focus of the fourth evaluation round of the Convention on vulnerabilities to human trafficking and measures taken to prevent them, detect and support vulnerable victims, and punish the offenders, as well as the additional focus on the use of information and communication technology (ICT);

Considering the conclusions and proposals for action contained in Appendix 2 of GRETA's fourth report on Austria related to the thematic focus of the fourth evaluation round and follow-up topics specific to Austria;

Welcoming the measures taken and the progress achieved by Austria in implementing the Convention, and in particular:

- the adoption of the 7th National Action Plan on Combating Human Trafficking (2024-2027) which comprises measures addressing vulnerable groups, such as children, asylum seekers, migrant workers and persons with disabilities;
- the revision of the binding instructions on the Dublin Procedure of the Federal Office for Immigration and Asylum concerning victims of trafficking;
- the legislative and other measures put in place to protect migrant workers;

- the increased funding provided for assistance to victims of trafficking;
- the steps taken to strengthen the capacity to detect and investigate cybercrime offences facilitated by ICT.

A. Recommends that the Government of Austria take measures to address the following issues for urgent action¹ identified in GRETA's report:

1. take further measures to prevent trafficking of children, in particular by:
 - ensuring that all unaccompanied and separated children are placed in safe and appropriate accommodation, with adequately trained staff, and are appointed legal guardians as expeditiously as possible, to ensure that the best interests of the child are effectively protected;
 - reducing the amount of time unaccompanied and separated children spend in federal reception centres (paragraph 40);
2. set up a National Referral Mechanism (NRM) which follows a multi-disciplinary approach to victim identification and involves, in addition to the police, a range of frontline actors who may come into contact with victims of human trafficking, including labour inspectors, social workers, asylum staff, officials dealing with irregular migrants, prison staff, medical professionals, NGOs and trade unions, defining their respective roles and responsibilities at all stages of the procedure (paragraph 111);
3. enshrine in law the recovery and reflection period as provided for in Article 13 of the Convention. Officers performing identification should be issued with clear instructions stressing the obligation to systematically offer the recovery and reflection period to all presumed foreign victims of human trafficking, including EU and EEA citizens, together with all the measures of protection and assistance envisaged in Article 12, paragraphs 1 and 2, of the Convention during this period (paragraph 167);
4. make additional efforts to guarantee effective access to compensation for victims of trafficking, in particular by:
 - instructing prosecutors to systematically request compensation on behalf of victims as part of criminal proceedings;
 - providing additional training to prosecutors and judges on the issue of compensation with a view to ensuring that they use all the possibilities the law provides to enable victims of THB have access to compensation (paragraph 176);

B. Bearing in mind GRETA's conclusions that some recommendations made repeatedly in preceding evaluation rounds have not been implemented or have been only partially implemented, requests the Austrian authorities to take steps to implement the recommendations in points 2, 3 and 4 as a matter of priority;

C. Recommends that the Austrian authorities take measures to implement the other proposals for action listed in Appendix 2 of GRETA's fourth evaluation report;

D. Requests the Austrian Government to report to the Committee of the Parties on the measures taken to comply with this recommendation **by 20 June 2027**;

E. Invites the Austrian Government to continue the dialogue in progress with GRETA and to keep GRETA regularly informed of the measures taken in response to GRETA's conclusions.

¹ The number of the paragraph setting out GRETA's proposals in the report is indicated in brackets.